

chlorine in the article would help to expel wastes; that it would assist in cleansing and purifying the system; that it would exercise favorable influence upon metabolism and help to maintain osmotic pressure in blood and tissues; that it would aid digestion; that it would aid in the regulation and stimulation of muscular action; that it would activate body enzymes; and that it would contribute to normal gastric secretion and to the maintenance of normal heart action; that the fluorine in the article would be effective in building strength into bone structures; that it would act strongly on the spleen; that it would help to protect the consumer from germs and infections; and that it would aid in preserving youthfulness in youth and old age; that the cobalt in the article would effect normal growth, normal appetite, and normal skin; that it would assist in increasing the red blood corpuscles; and that it would be effective to prevent scaly skin and muscular degeneration; that the manganese in the article would favorably affect nerve and brain cells; that it would increase the ability to read small print and to notice objects at a greater distance; that it would strengthen memory; that it would quicken coordination of thought and action; that it would contribute effectively to reproduction, growth, and normal functioning of the human body; that it would give stability to the bone structure of the body; that it would control the body's ability to utilize the vitamin B complex; and that it would contribute to the formation of the color pigment in hair, thus preventing hair from graying; that zinc in the article would be effective in increasing the bodily resistance to temperatures; that it would favorably affect tissue respiration and the proper utilization of vitamin B₁ by the human system; and that it would prevent retardation of intestinal absorption and decrease in growth rate; that the copper in the article would be effective in preventing the graying of hair and that it would aid tissue respiration.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: July 16, 1953. Nuvi-T-Min, Inc., and W. R. Devlin, Gordonville, Pa., the owners of the product, having appeared as claimants, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

4235. Misbranding of Nemow tablets. U. S. v. 15 Display Cartons * * *.
(F. D. C. No. 35359. Sample No. 50980-L.)

LABEL FILED: July 17, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about November 6, 1952, by Nemow Co., Inc., from New York, N. Y., and on or about March 5, 1953, by the Commerce Drug Co., from Brooklyn, N. Y.

PRODUCT: 15 display cartons, each containing 12 boxes, of *Nemow tablets* at Newark, N. J.

LABEL, IN PART: (Display carton) "Nemow For Relief of Functional Periodic Pain"; (box) "Nemow 6 Tablets Active Ingredients, Acetphenetidin 2 Grains Per Tablet, Phenyl-Propanol-Amine Hydrochloride (Propadrine Hydrochloride), Aspirin For Relief of Functional Menstrual Pain."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement appearing in the labeling of the article, namely, (on leaflet enclosed in each box) "Nemow Tablets * * * do away with much of the depression and 'blue feeling' often experienced during or before the menstrual period," was false and misleading

since the article would not effect the result and would not fulfill the promise of benefit stated and implied.

DISPOSITION: September 21, 1953. Default decree of condemnation and destruction.

4236. Misbranding of 3 Roses Hair Gror. U. S. v. 222 Jars * * *. (F. D. C. No. 35306. Sample No. 55145-L.)

LIBEL FILED: June 9, 1953, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about April 3 and May 6, 1953, from Tampa, Fla. This was a return shipment.

PRODUCT: 222 jars of 3 *Roses Hair Gror* at Milwaukee, Wis. Analysis showed that the product was petrolatum, with perfume and certified coal-tar colors added. The product was contained in glass jars, each containing approximately 13 ounces by weight.

LABEL, IN PART: (Jar) "Don't Starve Your Hair Keep it growing! Contents 4 OZS. or Over Use 3 Roses Hair Gror Will Improve Your Hair Instantly."

NATURE OF CHARGE: Misbranding, Section 502 (a), the name "3 Roses Hair Gror" and the label statements "Don't Starve Your Hair Keep it growing!" and "Will Improve Your Hair Instantly" were false and misleading. These statements represented and suggested that the article would grow hair, whereas the article would not grow hair.

Further misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 4 Ozs. or Over" was inaccurate.

DISPOSITION: November 18, 1953. Default decree of condemnation and destruction.

4237. Misbranding of Magnetic Ray belt. U. S. v. 1 Device, etc. (F. D. C. No. 35324. Sample No. 67254-L.)

LIBEL FILED: June 24, 1953, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about May 25, 1953, by Dr. Frank B. Moran, from Coppell, Tex.

PRODUCT: 1 device known as *Magnetic Ray belt* and its accessory (consisting of a coil of wire attached to a socket containing a flashlight bulb) at Purvis, Miss., together with a number of pamphlets entitled "Directions For Taking Magnetic Ray Treatments" and "Magnetic Ray Treatment" and a letter dated May 24, 1953, from "Magnetic Ray Company, Frank B. Moran, M. D."

The device was a belt consisting of a coil of wire intended for connection to a source of electric current. Accompanying the belt, but not attached to it, was the accessory consisting of a coil of wire attached to a socket containing a flashlight bulb which glowed when the secondary coil was brought near the belt, if the belt was in operation. By means of this accessory the user was able to determine whether an electric current was passing through the belt.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned pamphlets and letter accompanying the device and its accessory were false and misleading. The statements represented and suggested that the device constituted a powerful factor in restoring and preserving health, an effective weapon to fight disease, a source of health-giving rays, and an effective modality in the prevention and relief of human ills, the treatment and prevention of disease, and in effecting a healthful body and mind at ease;